

KUTAK ROCK LLP

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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:)
) Chapter 7
)
DELTA CAREER EDUCATION) Case No. 18-33822-KLP
CORPORATION, *et al.*,¹)
)
Debtor.)
)

ORDER SETTING AN EXPEDITED HEARING

Upon the motion (the “Motion”)¹ of the above-captioned debtors and debtors in possession (collectively, the “Debtors”) for entry of an order (this “Order”), (a) setting an expedited hearing at the Court’s earliest convenience on the Debtors’ Joint Administration Motion; and (b) deeming the Debtors’ notice of the Joint Administration Motion and the hearing thereon to be adequate and appropriate notice under the circumstances; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Standing Order of*

¹ The Debtors in these chapter 7 cases, along with the last four digits of each Debtor’s federal tax identification number, include Delta Career Education Corporation (5135); Delta Educational Systems, Inc. (9702); National Career Education, Inc. (3855); Southwest Business Colleges, Inc. (3438); Creative Circus, Inc. (1026); Atlantic Coast Colleges, Inc. (4068); McCann Education Centers, Inc. (2761); Berks Technical Institute, Inc. (9439); McCann School of Business and Technology (2608); Miller-Motte Business College, Inc. (1751); Palmetto Technical College, Inc. (6130); Piedmont Business Colleges, Inc. (4202); Academy of Court Reporting, Inc. (3484); and The Miami-Jacobs Business College Company (9487).

¹ Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

Reference from the United States District Court for the Eastern District of Virginia, dated July 10, 1984; and that this Court may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Motion is in the best interests of the Debtors' estates, their creditors, and other parties in interest; and this Court having found that the Debtors' notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court (the "Hearing"); and this Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Motion is granted as set forth in this Order.
2. A hearing will be held on **August 1, 2018, at 2:00 p.m. prevailing Eastern Time** to hear and consider the Joint Administration Motion.
3. The form of the *Debtors' Notice of Filing of Chapter 7 Petitions and Joint Administration Motion and of Proposed Hearing on Joint Administration Motion* attached hereto as **Exhibit 1** (the "Notice") is approved.
4. As soon as practicable after the commencement of these chapter 7 cases, the Debtors shall serve notice of this Motion via hand, electronic mail, overnight delivery, or facsimile to: (a) the Office of the United States Trustee for the Eastern District of Virginia; (b) the Debtors' secured creditor; (c) the United States Attorney's Office for the Eastern District

of Virginia; (d) the Internal Revenue Service; (e) the Debtors' current banks; (f) the office of the attorneys general for the states in which the Debtors operated; and (g) any party that has requested notice pursuant to Bankruptcy Rule 2002.

5. The requirement under Local Rule 9013-1(G) to file a memorandum of law in connection with the Motion is waived.

6. The notice requirements of Local Rule 9013-1(M) are hereby waived for the Motion and the Joint Administration Motion.

7. Subject to the Debtors serving the Joint Administration Motion in accordance with this Order, the requirements of Local Bankruptcy Rule 9022-1(B) are hereby waived for the Motion and the Joint Administration Motion.

8. The requirement of filing a written response to the Joint Administration Motion is waived.

9. The endorsement requirement of Local Rule 9022-1(C) is hereby waived for the purposes of this Order.

10. A copy of this Order shall be separately docketed in each of the Debtors' chapter 11 cases.

11. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Order are immediately effective and enforceable upon its entry.

12. The Debtors and the appointed chapter 7 trustee are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

13. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Aug 1 2018

Dated: _____, 2018
Richmond, Virginia

/s/ Keith L. Phillips

UNITED STATES BANKRUPTCY JUDGE

Entered on Docket: Aug 1 2018

We ask for this:

/s/ Peter J. Barrett
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Exhibit 1

Notice

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:)	Chapter 7
)	
DELTA CAREER EDUCATION)	Case No. 18-33822
CORPORATION, <i>et al.</i> , ¹)	
)	
Debtor.)	
)	

**NOTICE OF FILING OF CHAPTER 7 PETITIONS AND
JOINT ADMINISTRATION MOTION AND OF PROPOSED HEARING ON JOINT
ADMINISTRATION MOTION**

PLEASE TAKE NOTICE THAT on July 26 and July 27, 2018, the above-captioned debtors (collectively, the “Debtors”) filed with the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division (the “Court”), their respective voluntary petitions for relief under chapter 7 of the United States Bankruptcy Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”) commencing the above-captioned chapter 11 cases.

PLEASE TAKE FURTHER NOTICE THAT together with their chapter 7 petitions, the Debtors also requested an expedited hearing before the Court (the “Hearing”) to consider the *Debtors’ Motion for Entry of an Order (i) Directing Joint Administration of Chapter 7 Cases and (ii) Granting Related Relief* (the “Joint Administration Motion”).

PLEASE TAKE FURTHER NOTICE THAT the Court has scheduled the Hearing on **August 1, 2018, at 2:00 p.m., prevailing Eastern Time** in Courtroom 5100 of the United States

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Bankruptcy Court for the Eastern District of Virginia, Richmond Division, 701 East Broad Street, Richmond, Virginia, 23219.

PLEASE TAKE FURTHER NOTICE THAT a copy of the Joint Administration Motion may be viewed on the Court's website at <http://www.vaeb.uscourts.gov> in accordance with the procedures and fees set forth therein.

PLEASE TAKE FURTHER NOTICE THAT your rights may be affected. You should carefully read the Joint Administration Motion and discuss it with your attorney, if you have one in these chapter 7 cases. If you do not have an attorney, you may wish to consult with one.

PLEASE TAKE FURTHER NOTICE THAT if you do not want the Court to grant the relief requested in the Joint Administration Motion, or if you want the Court to consider your views on the Joint Administration Motion, then you or your attorney must attend the Hearing. If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Joint Administration Motion and may enter an order granting the relief requested in the Joint Administration Motion.

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